

SENATE RECORD VOTE ANALYSIS

106th Congress
1st Session

Vote No. 7

January 28, 1999, 5:54 p.m.
Page S-1071 Temp. Record

CLINTON IMPEACHMENT/Procedure Resolution, 2nd Daschle Alternative

SUBJECT: Impeachment trial of William Jefferson Clinton for perjury and obstruction of justice. Daschle amendment No. 2 to S. Res. 30, a resolution governing the order of procedure for considering the articles of impeachment.

ACTION: AMENDMENT REJECTED, 43-55

SYNOPSIS: On December 19, 1998, the House of Representatives impeached (indicted) President Clinton for perjury and obstruction of justice based on his actions and statements in relation to a Federal civil rights sexual harassment lawsuit that was filed against him by a former employee, Paula Corbin Jones. Ms. Jones alleged that in 1991, when she was an Arkansas State employee, then-Arkansas Governor Clinton exposed himself to her in a crude sexual advance which she refused, and that she subsequently and consequently suffered numerous adverse employment actions and was defamed. During the discovery phase of the lawsuit, the presiding judge ordered President Clinton to answer under oath certain questions posed by Ms. Jones' attorneys regarding any history he had of involvement in sexual relationships with State or Federal employees (such lines of questioning in sexual harassment lawsuits are a common means of establishing whether patterns of similar sexual harassment exist, including patterns of reward and punishment based upon the responses of subordinate employees to sexual advances). Those questions, which were posed in January, 1998, included questions regarding his relationship with a former White House intern, Monica Lewinsky (President Clinton had met Ms. Lewinsky and had begun a relationship with her when she was an intern). Later, in August, 1998, Ms. Lewinsky testified before a Federal grand jury, under a grant of immunity, regarding an affidavit she had filed in the *Jones* case. She gave detailed testimony and provided extensive corroborating physical evidence of a sexual relationship with the President. The President also testified before that grand jury in August. His testimony concerned his relationship with Ms. Lewinsky, his testimony before the Federal court in the sexual harassment lawsuit, and actions he took and statements he made before and after testifying in that lawsuit. The House impeachment of the President for obstruction of justice is based on numerous charges that he illegally tried to conceal the nature of his relationship with Ms. Lewinsky from the Federal court and the grand jury,

(See other side)

YEAS (43)		NAYS (55)		NOT VOTING (2)	
Republicans (0 or 0%)	Democrats (43 or 98%)	Republicans (54 or 100%)	Democrats (1 or 2%)	Republicans (1)	Democrats (1)
Akaka	Kennedy	Abraham	Hutchinson	Allard- ²	Mikulski- ³
Baucus	Kerrey	Ashcroft	Hutchison		
Bayh	Kerry	Bennett	Inhofe		
Biden	Kohl	Bond	Jeffords		
Bingaman	Landrieu	Brownback	Kyl		
Boxer	Lautenberg	Bunning	Lott		
Breaux	Leahy	Burns	Lugar		
Bryan	Levin	Campbell	Mack		
Byrd	Lieberman	Chafee	McCain		
Cleland	Lincoln	Cochran	McConnell		
Conrad	Moynihan	Collins	Murkowski		
Daschle	Murray	Coverdell	Nickles		
Dodd	Reed	Craig	Roberts		
Dorgan	Reid	Crapo	Roth		
Durbin	Robb	DeWine	Santorum		
Edwards	Rockefeller	Domenici	Sessions		
Feinstein	Sarbanes	Enzi	Shelby		
Graham	Schumer	Fitzgerald	Smith, Bob		
Harkin	Torricelli	Frist	Smith, Gordon		
Hollings	Wellstone	Gorton	Snowe		
Inouye	Wyden	Gramm	Specter		
Johnson		Grams	Stevens		
		Grassley	Thomas		
		Gregg	Thompson		
		Hagel	Thurmond		
		Hatch	Voinovich		
		Helms	Warner		

EXPLANATION OF ABSENCE:

1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:

AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

and its impeachment of him for perjury is based on charges of numerous perjurious statements in his grand jury testimony, including charges of perjury regarding his relationship with Ms. Lewinsky and his efforts to obstruct justice in the sexual harassment case against him.

As introduced, S. Res. 30, a resolution governing the order of procedure for considering the articles of impeachment, will set forth the procedures to be followed until the completion of the trial, as follows:

- oral depositions will be taken from three witnesses, Monica Lewinsky, Vernon Jordan, and Sidney Blumenthal, in accordance with the motion agreed to earlier (see vote No. 5);
- two Senators, appointed by the Leaders, will preside over the depositions, and they will have authority to rule, as an initial matter, upon any question arising out of the depositions;
- a witness will be allowed to refuse to answer a question only when necessary to preserve a legally recognized privilege, or a constitutional right, and must identify any such privilege when refusing to answer a question;
- witnesses will be examined by no more than two counsel from each side, and witnesses may be accompanied by counsel;
- any party that introduces exhibits during the depositions will give the other party at least 18-hours notice;
- exhibits will be limited to the Senate record and articles and materials in the press;
- the depositions will be videotaped and transcripts will be made;
- the depositions will be conducted in private, and confidentiality will be maintained;
- each Member and one staff member for each Member will be able to examine the videotaped and transcribed depositions;
- after that review period, the Senate will reconvene and it will be in order for the House Managers and/or the President's lawyers to move to resolve any objections made during any deposition;
- it will then be in order for the House Managers and/or the President's lawyers to move to admit into evidence the depositions or portions thereof, including the videotaped versions of the depositions or portions thereof;
- it will then be in order for the two Leaders jointly to make motions for additional discovery because of new relevant evidence discovered during the depositions;
- motions will then be allowed for orders governing the presentation of evidence and/or the testifying of witnesses before the Senate;
- if no motions are made, or following the completion of any procedures authorized as a result of votes on motions, the President's lawyers will have up to 24 hours to make any motions dealing with testimony or evidence;
- if no such motions are made, or if no witnesses are called, the Senate will proceed to final arguments as provided in the impeachment rules waiving the two-person rule; final arguments will not exceed 6 hours, equally divided; if motions are agreed to regarding new evidence or calling of new witnesses this resolution will be suspended;
- at the conclusion of final arguments the parties will proceed in accordance with the rules of impeachment, except that no motion with respect to reopening the record will be in order, and provided that it will be in order for a Senator to offer a motion to suspend the rules to allow for final debate to be in open session (no amendments or motions to that motion will be in order); and
- following any such vote to suspend the rules, and if none of the motions in order to be offered listed above have been agreed to, the Senate will vote on the articles of impeachment no later than noon on Friday, February 12, 1999.

The Daschle amendment would strike all after the first word of the resolution and would add language to prohibit any further evidence, argument, or deliberations except for 2 hours of concluding argument by each side and for debate on the articles by the Senate, should it decide to have debate. The amendment would then require votes on each of the articles, without any intervening action, motion, or debate.

NOTE: This amendment was the second Daschle amendment to the resolution rejected by the Senate (see vote No. 7). After this vote, the Senate agreed to a Lott perfecting amendment by voice vote, and then passed the resolution (see vote No. 8).

No debate occurred on the Daschle amendment.